IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Crl.Rev.Pet.No. 1604 of 2007()

C.C.NO.49/2006 OF JFCM-II, NADAPURAM
CRA.372/2006 of ADDL. SESSIONS COURT, VADAKARA

.....

REVN. PETITIONER: APPELLANT/ACCUSED

JOYSON JOSE, AGED 58 YEARS,
VAYALUMKAL HOUSE, MARUTHOMKARA AMSOM
DESOM, VADAKARA TALUK, KOZHIKODE DISTRICT.

BY ADV. SRI.K.RAKESH ROSHAN
SRI.BIJU J.THADIKKAL
SMT.THUSHARA.V

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

---

1. SIJU THOMAS, MUNDAKKAL HOUSE,
S/O.THOMAS SEBASTIAN, AGED 26 YEARS,
MARUTHOMKARA AMSOM, DESOM, VADAKARA TALUK,
KOZHIKODE DISTRICT.

2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
COCHIN.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1604 of 2007

Dated this the 12th day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for two months and to pay a compensation of Rs.1,25,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. The revision petitioner is granted six months' time from today onwards to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-II, Nadapuram on 15.10.2007 to receive the sentence. Non bailable warrant, pending, if any shall be kept in abeyance till 15.10.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl